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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/730,999	12/10/2003	Masayuki Yamamoto	SUT-0231	6347

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EXAMINER

SELLS, JAMES D

ART UNIT PAPER NUMBER

1734

DATE MAILED: 12/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/730,999

Applicant(s)

YAMAMOTO, MASAYUKI

Examiner

James Sells

Art Unit

1734

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: ____.

DETAILED ACTION

1. The indicated allowability of claims 1-20 is withdrawn in view of the newly discovered reference(s) to Dijk (US Patent 3,627,602). Rejections based on the newly cited reference(s) follow.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-3, 6, 10, 15 and 18-20 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Dijk (US Patent 3,627,602).

Dijk discloses a method for laminating sheets. As shown in Fig. 6, sheets or adhesive tapes 80 and 81 are fed via guide rollers (not shown) through the nip formed between roller 82 (applicant's claimed holding means) and loading element 84 (applicant's claimed applying means). Loading element 84 is actuated by an oscillating actuator (not shown) at a frequency between 0.1 and 1000 c/s (see col. 6, lines 45-50) to bond the sheets or adhesive tapes 80 and 81 to form laminate 89 in the manner claimed by the applicant.

In the embodiment shown in Figs. 4-5, Dijk employs first and second oscillators 55 and 57 to oscillate upper and lower loading elements 52 and 53 to bond sheets or adhesive tapes 50 and 51 together

Regarding claims 18-20, the applicant is reminded that the materials used (i.e. strip form, label, semiconductor wafer) are not germane to the patentability of an apparatus claim.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 4-5, 7-9, 11-14 and 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dijk as described above in paragraph 3.

Regarding claims 4-5 and 11-12, it is the examiner's position that heating means and cutting means are within the purview of one having ordinary skill in the art and would have been obvious to employ in the above described system of Dijk based upon physical requirements of the materials employed in manufacturing.

Regarding claims 7-9, without the disclosure of unexpected results, it is the examiner's position that the specific materials employ (i.e. strip form, label, semiconductor wafer) are well known and conventional in the art and would have been obvious to employ in the above described system of Dijk as a matter of design choice based upon desired properties of the materials being manufactured.

Regarding claims 13-14 and 16-17, it is the examiner's position that electromagnetic and rotating eccentric vibration generating means are both well known

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and conventional in the art. Therefore, it would have been obvious to one having ordinary skill in the art to employ such electromagnetic or rotating eccentric vibration generating means in the system of Dijk described above in order to facilitate vibration of the materials.

References

6. References B is cited as prior art of interest.

Telephone/Fax

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James Sells whose telephone number is (571) 272-1237. The examiner can normally be reached on Monday-Friday between 9:30 AM and 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Fiorilla can be reached at (571) 272-1187. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.



**JAMES SELLS
PRIMARY EXAMINER
TECH. CENTER 1700**